



California Regional Water Quality Control Board Lahontan Region



Alan C. Lloyd, Ph.D.
Agency Secretary

Arnold Schwarzenegger
Governor

2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
(530) 542-5400 • Fax (530) 544-2271
<http://www.waterboards.ca.gov/lahontan>

MINUTES November 17, 2004

Tour

Regional Board members, staff and interested parties participated in a tour of the Martis Valley/Truckee area from 1:00 p.m. to 4:00 p.m.

Regular Meeting

Lahontan Regional Water Quality Control Board
Town of Truckee Council Chambers
10183 Truckee Airport Road
Truckee, CA

Chair Eric Sandel called the meeting to order at 4:00 p.m.

BOARD MEMBERS PRESENT

William Betterley, Hesperia
John Brissenden, Hope Valley
Jack Clarke, Apple Valley
Amy Horne, Ph.D., Truckee
Eugene Nebeker, Ph.D., Lancaster
Eric Sandel, Truckee

BOARD MEMBERS ABSENT

None

LEGAL COUNSEL

Steven H. Blum, State Water Resources Control Board

STAFF PRESENT

Harold J. Singer, Executive Officer
Robert S. Dodds, Assistant Executive Officer
Chuck Curtis, Supervising WRCE, Planning and Toxics Division
Lauri Kemper, Supervising WRCE, Northern Lahontan Watersheds Division
Doug Smith, Senior Engineering Geologist, Lake Tahoe Watershed
Scott Ferguson, Senior WRCE, Truckee River Watershed
Eric Taxer, WRCE, Truckee River Watershed
Pamela Walker, Administrative Officer
Laurie Applegate, Executive Assistant

ADDRESSING THE BOARD

Laurel Ames, Sierra Club, League to Save Lake Tahoe
Garrett Villanueva, United States Forest Service, Lake Tahoe Basin Management Unit

California Environmental Protection Agency

Recycled Paper



1. Executive Officer's Report

Mr. Singer discussed the following items from the November 2004 written report:

Item No. 1 – 300,000 Gallons of Treated Sewage Released to Upper Truckee River (STPUD)

Item No. 2 – October 15 Grading Deadline Variances

Item No. 3 – Municipal NPDES Permit Update

Item No. 4 – Caltrans Lacks Progress in Meeting 2008 Tahoe Basin Retrofit Requirements

Item No. 6 – Los Angeles County Sanitation Districts No. 14 (Lancaster Water Reclamation Plant) and No. 20 (Palmdale Water Reclamation Plant)

- The Los Angeles County Sanitation District (LACSD) petitioned the State Water Resources Control Board (State Board) to review both cease and desist orders adopted by the Lahontan Regional Board at the October meeting. The State Board has not decided if the petitions will be heard.
- Regional Board staff is reviewing LACSD's proposal for containment and remediation of the groundwater plume at the Palmdale facility.
- The Board may be asked to extend a time schedule contained in waste discharge requirements for the LACSD Lancaster facility related to toxicity in effluent and receiving waters.

Item No. 7 – Technical Impracticability Waiver and Containment Zone Proposed for Sites 37, 133, 120 and 321 at Edwards Air Force Base, Kern County

Item No. 8 – Molycorp, Status Update

Steven Blum discussed a petition filed by Trout Unlimited and a joint petition filed by the California Department of Fish and Game and the United States Fish and Wildlife Service against the Lahontan Regional Board for failure to adopt an NPDES permit for rotenone application at Silver Creek. The State Board likely will hear the petitions.

Mr. Singer discussed the violations report, a portion of a California Performance Review Commission report related to the State Board and the Regional Water Quality Control Boards (RWQCBs), and a proposed Memorandum of Understanding between the State Board, RWQCBs and the California Department of Forestry related to monitoring to be imposed on nonfederal forestry projects. Mr. Singer also discussed the Regional Board's 2005 meeting schedule and raised the possibility of canceling the January meeting and scheduling the February meeting in the south.

The afternoon session of the Board meeting adjourned at 4:35 p.m.



Regular Meeting, Continued
7:00 p.m., November 17, 2004

Chair Eric Sandel called the meeting to order at 7:00 p.m. Board members present: William Betterley, John Brissenden, Jack Clarke, Amy Horne and Eugene Nebeker.

2. PUBLIC FORUM

No one addressed the Board during the Public Forum.

3. MINUTES

- **Motion:** Moved by William Betterley, seconded by Jack Clarke and **unanimously carried** to adopt the July 26-27, 2004 minutes as proposed.

The September 8-9, 2004 minutes will be considered at a future meeting.

4. ADOPTION OF UNCONTESTED CALENDAR

- **Motion:** Moved by William Betterley, seconded by Amy Horne and **unanimously carried** to adopt Items 5 and 7 on the Uncontested Calendar as proposed.

ENFORCEMENT ACTION

6. Public Hearing – Rescission of Cease and Desist Order No. 6-91-857 for Discharges or Threatened Discharges of Wastes within the Stones-Bengard Subdivision, APN 065-210-01, Eagle Lake, Lassen County

Lauri Kemper, Supervising WRCE with the Board's South Lake Tahoe office, noted Mr. Babb connected to the Stones-Bengard Community Services District sewer system and recommended the Board adopt the Resolution rescinding the cease and desist order.

- **Motion:** Moved by Jack Clarke, seconded by William Betterley and **unanimously carried** to adopt the Resolution rescinding the cease and desist order as proposed.

STATUS REPORTS

8. Update on Pathway 2007 – An Interagency Effort and Collaborative Public Process to Complete the Lake Tahoe TMDL, Update Tahoe Regional Planning Agency's Regional Plan and Update Lake Tahoe Basin Management Unit's Land Management Plan

Lauri Kemper, Supervising WRCE with the Board's South Lake Tahoe office, introduced two members of the Pathway 2007 steering team: Irene Davidson, U.S. Forest Service - Lake Tahoe Basin Management Unit, and Gordon Barrett, Tahoe Regional Planning Agency.

Ms. Kemper gave an overview of Pathway 2007 and drew the Board's attention to the website at www.pathway2007.org. She noted the Regional Board would be given future



updates. She invited Board members to attend a TMDL symposium sponsored by Regional Board staff on December 9-10 at Embassy Suites in South Lake Tahoe.

9. Status of United States Forest Service, Lake Tahoe Basin Management Unit, Trail Improvement Program, Including Big Meadow Trail Project

Garrett Villanueva, United States Forest Service, Lake Tahoe Basin Management Unit (LTBMU), discussed the LTBMU trail improvement program and the Big Meadow trail violation.

Board members discussed the need for ongoing training of LTBMU staff, seasonal workers and volunteers. Mr. Singer noted that Regional Board staff would continue to provide yearly training to LTBMU staff; however, due to limited resources, must rely on LTBMU staff to understand and carry out Regional Board requirements. He also noted he would work with LTBMU management to develop a written agreement to formalize training requirements for LTBMU staff.

Doug Smith, Senior Engineering Geologist with the Board's South Lake Tahoe office, discussed the Big Meadow violation and the LTBMU response to the requirements in the Notice of Violation. Mr. Smith noted that based on information submitted by LTBMU staff and Regional Board staff observations, Regional Board staff does not find it necessary to relocate the trail to protect water quality at the present time. He recommended additional maintenance and monitoring for trail stability and detection of any future water quality problems.

Laurel Ames discussed the Big Meadow trail violation. She asked the Board to hold a hearing on the issue and recommended the trail be moved out of the meadow.

Following discussion, the Board accepted the Regional Board staff recommendation to leave the trail in the meadow with additional maintenance and monitoring and to defer the LTBMU staff training issue to Mr. Singer and LTBMU management.

10. Reports by Chair and Board Members

No reports were given.

11. CLOSED SESSION

Board members met in closed session on November 17, 2004 from 9:40 p.m. to 11:07 p.m. to discuss items e and h. Authority: Government Code Section 11126(a) and 11126(e), respectively.

The Board reconvened in open session at 11:07 p.m. With no further business to come before the Board, the meeting adjourned at 11:07 p.m.

s/s

Prepared by: _____ Adopted: February 9, 2005
Laurie Applegate, Executive Assistant

